

Article - Real Property

[\[Previous\]](#)[\[Next\]](#)

§8–215.

(a) In this section, “affected property” and “owner” have the meanings stated in § 6–801 of the Environment Article.

(b) (1) If an owner of an affected property fails to comply with the applicable risk reduction standard under § 6–815 or § 6–819 of the Environment Article, the owner, on the written request of the tenant, shall:

(i) Immediately release the tenant from the terms of the lease or rental agreement for that property; and

(ii) Pay to the tenant all reasonable relocation expenses, not to exceed \$2,500, directly related to the permanent relocation of the tenant to a lead-free dwelling unit or another dwelling unit that has satisfied the risk reduction standard in accordance with § 6–815 of the Environment Article.

(2) A tenant’s written request to the landlord under paragraph (1) of this subsection shall include any risk reduction certification information provided by the Department of the Environment.

(3) Within 3 business days of receipt of a tenant’s written request under paragraph (1) of this subsection, an owner may provide to the tenant:

(i) A current and valid risk reduction certificate;

(ii) A lead-free certificate;

(iii) A statement of verification by the owner and tenant of work performed in accordance with § 6–819(g) of the Environment Article for the affected property; or

(iv) The final report of an inspector verifying that work was performed on the affected property in accordance with § 6–819(g) of the Environment Article.

(c) (1) If an owner fails to provide information in accordance with subsection (b)(3) of this section or to comply with the tenant’s written request under subsection (b)(1) of this section within 3 business days of receipt of the request, the tenant may bring an action in District Court for the:

- (i) Lease termination;
- (ii) Reimbursement of reasonable relocation expenses; and
- (iii) Reasonable attorney's fees.

(2) A tenant does not have a cause of action under this subsection if the owner of an affected property provides information in accordance with subsection (b)(3) of this section.

(d) The right of a tenant to request release in accordance with subsection (b) of this section does not preclude the tenant from pursuing any other right or remedy available to the tenant at law or equity and is in addition to them.

(e) Any action or inaction of the owner of an affected property or tenant under this section or any finding in a proceeding under this section may not be construed to have any effect on:

(1) Any civil action; or

(2) Any administrative proceeding brought under this title or Title 6 of the Environment Article.

[\[Previous\]](#)[\[Next\]](#)